

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Ronald J. JANDACEK et al. : Confirmation No. 9438
Serial No.: 10/567,143 :
I.A. Filing Date: 08/05/2004 :
Title: USE OF NON-ABSORBABLE FAT IN DETERMINING DIETARY
FAT ABSORPTION

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

Commissioner for Patents
P.O. Box 1450
Alexandrai, VA 22313-1450

Dear Sir:

This letter is in response to the Notification of Missing Requirements dated June 14, 2006. Applicants hereby submit a declaration duly signed by the inventors.

Respectfully submitted,

For: Ronald J. JANDACEK et al.

By


Daniel F. Nesbitt
Attorney for Applicant
Registration No. 33,746
(513) 229-0383
Customer Number 38155

June 21, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,143	Children's Hospital Medical Center	CHM016

INTERNATIONAL APPLICATION NO.

PCT/US04/25350

I.A. FILING DATE

PRIORITY DATE

08/05/2004

08/06/2003

38155
 HASSE & NESBITT LLC
 7550 CENTRAL PARK BLVD.,
 MASON, OH 45040

RECEIVED
 JUN 19 2006

BY:-----

CONFIRMATION NO. 9438
 371 FORMALITIES LETTER



OC000000019250941

Date Mailed: 06/14/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/06/2006
- Copy of the International Search Report filed on 02/06/2006
- Preliminary Amendments filed on 02/06/2006
- Oath or Declaration filed on 02/06/2006
- Small Entity Statement filed on 02/06/2006
- Request for Immediate Examination filed on 02/06/2006
- U.S. Basic National Fees filed on 02/06/2006
- Priority Documents filed on 02/06/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,143	PCT/US04/25350	CHM016

FORM PCT/DO/EO/905 (371 Formalities Notice)